

REMARKS

This amendment is in response to the Official Action dated March 10, 2006. In this amendment, Claims 21-30 are cancelled, Claims 31, 36, 37 and 40 have been amended, and new Claims 41-48 have been added. The application now includes Claims 31-48 with Claims 31, 37 and 43 being the only independent claims. Favorable reconsideration, in view of the above amendments and accompanying remarks, is respectfully requested.

In paragraph 2 of the Official Action, the Examiner has withdrawn Claims 21-30 from consideration pursuant to 37 CFR 1.142(b). The Examiner states that the election was made in a phone conversation with him on January 21, 2005. That phone conversation concerned originally filed Claims 1-9 and 16-20 – it did not concern new Claims 21-30 which were filed in a preliminary amendment accompanying the request for continued examination on December 22, 2005. However, since it is believed that the Examiner would again require an election of the claims that were filed in the preliminary amendment accompanying the request for continued examination on December 22, 2005, Claims 21-30 are hereby cancelled in this amendment.

In paragraphs 3 and 4 of the Official Action, the Examiner has rejected Claims 36 and 40 under 35 U.S.C. 112, because according to the Examiner, “the term ‘pot’ is not recognized in the art.” It is believed that the above amendments to Claims 36 and 40 overcome these rejections.

In paragraphs 5 and 6 of the Official Action, the Examiner has rejected Claims 31, 33-34 and 36 under the provisions of 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,472,068 to Weiler et al. It is noted that the Examiner in this rejection states that Weiler et al. “figure 4 shows an opening formed in the intermediate bridge portion” and that “Applicant should further claim the location of the opening with respect to the locating recess because the term, ‘adjacent’ is vague.” These rejections are respectfully traversed in light of the amendments to the claims.

Claim 31 has been amended to further define and claim the location of the opening with respect to the locating recess and the term “adjacent” has been deleted from the claim. Specifically, as amended, Claim 31 now defines the invention as a

cast brake caliper adapted for use in a disc brake assembly comprising: a cast brake caliper having an inboard leg portion and an outboard leg portion which are interconnected by an intermediate bridge portion, the brake caliper having a pair of locating surfaces provided on the inboard leg portion and a locating recess provided on the outboard leg portion; wherein the pair of locating surfaces provided on the inboard leg portion and the locating recess provided on the outboard leg portion are integrally formed by a core member of a casting apparatus during the casting of the brake caliper; and wherein the caliper includes an *opening formed beginning in the intermediate bridge portion and extending into the outboard leg portion and continuing over the locating recess provided on the outboard leg portion so that no portion of the intermediate bridge portion covers the locating recess* to thereby enable an extension of the core member to form the locating recess on the outboard leg portion during the casting of the brake caliper. (Emphasis added). None of the cited references, alone or in combination, discloses or suggests such a brake caliper as recited in Claim 31. Accordingly, it is believed that Claim 31, along with dependent Claims 32 to 36, are patentable over the cited references.

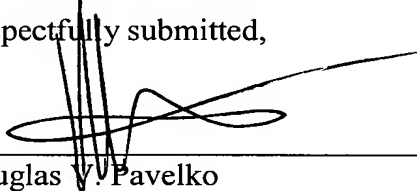
Claim 37 has been amended in a manner similar to Claim 31 and recites in part “wherein the caliper includes an *opening formed beginning in the intermediate bridge portion and extending into the outboard leg portion and continuing over the locating conical recess provided on the outboard leg portion so that no portion of the intermediate bridge portion covers the locating recess* to thereby enable an extension of the core member to form the locating conical recess on the outboard leg portion during the casting of the brake caliper.” (Emphasis added). Accordingly, it is believed that Claim 37, along with dependent Claims 38 to 40, are patentable over the cited references.

New Claim 43 includes similar limitations to Claim 31 and recites in part “wherein the caliper includes an *opening formed beginning in the intermediate bridge portion and extending into the outboard leg portion and continuing over the locating recess provided on the outboard leg portion so that no portion of the intermediate bridge portion covers the locating recess* to thereby enable an extension of the core

member to form the locating recess on the outboard leg portion during the casting of the brake caliper.” (Emphasis added). Accordingly, it is believed that Claim 43, along with dependent Claims 44 to 48, are patentable over the cited references.

In view of the above amendments and accompanying remarks, it is believed that the application is in condition for allowance. However, if the Examiner does not believe that the above remarks and amendments place the application in condition for allowance, or if the Examiner has any comments or suggestions, it is requested that the Examiner contact Applicants’ attorney at (419) 255-5900 to discuss the application prior to the issuance of an action in this case by the Examiner.

Respectfully submitted,



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